

Hence I say that this article interprets itself clearly, and it has reference to the degree of supremacy, to the sphere of supremacy. It addresses itself to the State law, or to that portion of the State Constitution which may be in conflict with this supreme law; it means nothing more and nothing less. Now will it not be said that this is a fair interpretation, thus far, of this article? Will any gentleman controvert the interpretation given thus far of this article?

Where then is the conflict of opinion? It arises in two forms; first, we are told by those who favor the striking out the word "paramount," that we are surrendering the rights of the States. And what other things are we doing? We are not only surrendering State rights, but we are converting this Federal Government into a great, concentrated, consolidated government.

According to my theory of interpretation, this is the very same condition of the law that has existed ever since the formation of the Constitution. And if, during the last eighty odd years, the Government has not been consolidated, the Government is still a Federal Government, and has not been concentrated—except within the last two or three years, allowing gentlemen the privilege even of that margin—surely it cannot be contended that there is a greater probability, or a greater likelihood, of these results flowing from a re-declaration, or re-enactment, or the re-affirmance of a principle of constitutional law, that has existed from the formation of the Government?

Mr. BERRY, of Prince George's. I would like to inquire whether this principle is incorporated in any organic law of any State in this Union? Whether this is not the first time in the formation of the organic law of any State, that this principle is attempted to be incorporated?

Mr. RIDGELY. I will answer my friend with great pleasure. In the same terms and spirit in which I spoke of the venerable names of Jefferson and Madison, I would say that Constitutions of other States are no authority to me except so far as the reasons for their various provisions address themselves to the approval of my judgment. This principle may or may not have been heretofore introduced into State Constitutions. If it never has been, it was, I suppose, because it was thought to be a work of supererogation; that it was a self-evident truth, arising out of the very terms of the Constitution of the United States. And as the crime of parricide in ancient Rome was considered a crime so unnatural and improbable that it was not necessary to pass any law punishing it, so in this case it was not thought doubtless necessary to make an enactment for that which was resting upon every man in the land. I consider, as I have already said, that it would have been an act of supererogation.

And I consider now that the difficulty in this controversy arises not out of the real meaning of the words, but because the peculiar words employed in this connection are, at this particular time and juncture of affairs, especially significant and rather unacceptable and ungrateful to certain gentlemen. If the Committee had inserted in this Bill of Rights, the word "obedience" instead of "allegiance," had said that "paramount obedience" was due to the Constitution and laws of the United States, we should never have heard a word of this controversy. It is not the idea, but the language in which the idea is clothed, I think, that has the larger influence in controlling opinions here, and giving character and direction to this debate. Now allegiance means nothing in the world but obedience. There is a supreme law of the land, and all other law is subordinate to it; always admitting that this supreme law is within the sphere of the Constitution. You have the supreme law when admitted to be constitutional law: and all other law in this country, in conflict with it, in derogation of it, is subordinate to it, and must yield to it. That is the whole theory of this article. Now, I would ask, does not the supreme law naturally draw with it supreme obedience?

Taking the terms "obedience" and "allegiance" to be correlative terms, as meaning one and the same thing, can you have a law which is supreme, unless that law naturally draws with it, and compels, and enforces supreme obedience? It would be an absurdity to talk about a supreme law, unless there was supreme obedience necessarily and inseparably attached to it. That I hold to be the whole meaning of this article.

And I go further. I see nothing in it to which the most conscientious State rights man could object as long as he remains beneath our flag, and under the protecting arm of this Government, secure in the enjoyment of his life, liberty and property. I see nothing in this article which would justify the most stringent State rights man in withholding his highest obedience to the supreme law of the land. I know there is a theory, based upon the old doctrine of State sovereignty, that the highest obedience is due to the State. And I believe upon that theory certain States' rights men have declined to take an oath to support the Constitution of the United States. I am glad to find, however, that none of the honorable members with whom I have the honor to be associated here, have given that construction to their sense of public duty but have cheerfully and promptly come up to that requisition, and indorsed themselves in this respect as giving obedience and allegiance to the Constitution and laws of the United States.

Mr. BERRY, of Prince George's. Will my friend allow me to correct him. I did not